



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,307	10/31/2003	Naruhide Kitada	117563	9888
25944	7590	02/17/2006		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER KOVAL, MELISSA J	
			ART UNIT 2851	PAPER NUMBER

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

5/6

Office Action Summary	Application No. 10/697,307	Applicant(s) KITADA ET AL.	
	Examiner Melissa J. Koval	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,5-19 and 21-31 is/are pending in the application.
 4a) Of the above claim(s) 7,9-11,16, 30 and 31 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3,5,6,8,12-15,17,18,19,21-23,25,26,28 and 29 is/are allowed.
- 6) ☒ Claim(s) 24 and 27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/23/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

This application contains claims 7, 9, 10, 11, 16, 30 and 31 that are drawn to an invention nonelected with traverse in the Response to the Election/Restriction of June 29, 2005. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 24 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Moroo U.S. Patent Application Publication US2002/0136469.

See Figures 1 and 5, for example.

Claim 24 sets forth: "A monitor program for a projection apparatus, the program monitoring a projection apparatus having projection section for projecting an image, the program comprising:

allowing a computer to execute a process of loading with a one-dimensional line

Art Unit: 2851

sensor an actual projected image projected by said projection section and detecting an error in said projection section on the basis of the loaded actual projected image.”

See the SUMMARY OF THE INVENTION starting with section [0015] and ending with section [0038]. See the Flowcharts of Figures 2 and 3, for example.

Claim 27 is rejected for the same reasons already applied to rejected claim 24.

Allowable Subject Matter

Claims 2, 3, 5, 6, 8, 12-15, 17, 18, 19, 21-23, 25, 26, 28 and 29 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record neither shows nor suggests all of the elements of claim 2, in combination, including a “projection section”, an “image loading section”, an “error detection section”, and an “error notification section” and particularly:

“wherein said error detection section detects errors in said projection section on the basis of an original projected image to be projected by said projection section and the actual projected image loaded into said image loading section and said image loading section is a one-dimensional line sensor.”.

Claims 17 and 19 are allowable for essentially the same reasons.

The prior art of record neither shows nor suggests all of the steps of claim 25 and particularly:

“allowing execution of a process implemented as image loading section including a one-dimensional line sensor for loading the actual projected image projected by said

projection section for detecting errors in said projection section on the basis of the actual projected image loaded into said image loading section, with error detection section, and carrying out a predetermined notification when said error detection section detects an error with error notification section, and

wherein said error detection section detects errors in said projection section on the basis of an original projected image to be projected by said projection section and the actual projected image loaded into said image loading section.”.

Claim 26 is allowed for essentially the same reasons.

The prior art of record neither shows nor suggests all of the steps of claim 28 and particularly:

“loading the actual projected image projected by said projection section, with a one-dimensional line sensor, detecting an error in said projection section on the basis of the loaded actual projected image, and carrying out a predetermined notification when an error is detected,

wherein said error detection detects an error in said projection section on the basis of an original projected image to be projected by said projection section and the actual projected image that was loaded.”.

Claim 29 is allowed for essentially the same reasons.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kajita U.S. Patent 4,954,913 teaches an image reading apparatus.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

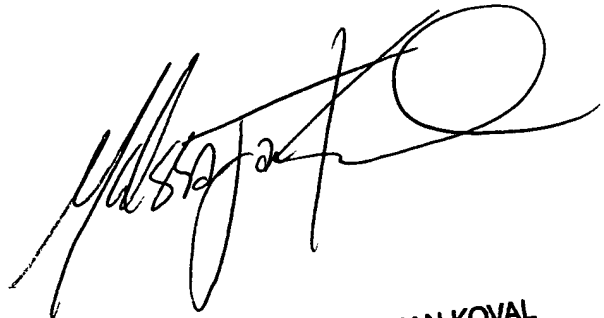
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Melissa Jan Koval
Primary Examiner
Art Unit 2851
MJK

A handwritten signature in black ink, appearing to read 'Melissa Jan Koval', with a large, stylized loop at the end.

MELISSA JAN KOVAL
PRIMARY EXAMINER